

Due Date for Mediation Ranking Information Sheet 07/30/2010

Mediation Ranking Information Sheet

****TO BE FILED ELECTRONICALLY****
IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

ENERGY WEST, INC.,

CASE NO.: 1:09 CV 0591

Plaintiff(s),

-VS-

UNITED STATES POWER FUND, L.P.,

Defendant(s).

CHRISTOPHER A. BOYKO, JUDGE

AGREED MEDIATION RANKING INFORMATION SHEET

In accordance with **Local Rule 16.6(c)(1)**, all proposed neutral mediator names listed in the Notice of Referral to Mediation must be ranked in order of preference by counsel and/or the parties. The following is a listing of those names:

1. Ronald Isroff
2. Richard Baumgart
3. Mary Ann Rabin

Do not list more than three names unless the parties are not united in interest. **The following proposed mediator names represent parties not united in interest:**

- 4.
- 5.
- 6.

Please feel free to attach an additional sheet to list additional names if the parties not united in interest represent more than six proposed mediator names.

The Agreed Mediation Ranking Information Sheet must be filed electronically no later than July 30, 2010 . As a convenience to counsel/parties, the Agreed Mediation Ranking Information Sheet may be submitted via facsimile transmission to 216-357-7040 by the date specified herein, with the original to be filed electronically by the date specified herein.

A mediator will be selected and designated from the proposed mediators listed herein. If the Agreed Mediation Ranking Information Sheet is not filed electronically by the date specified herein, counsel/parties are hereby advised the ADR Administrator will select and designate a mediator from the list of proposed mediators provided to counsel/parties. **Furthermore, if the Agreed Mediation Ranking Information Sheet is not an agreed selection by all counsel/parties, it will not be considered for the selection of a mediator. See Local Rule 16.6(c)(1).**

A firm mediation conference will be scheduled by the mediator and said conference shall not be vacated except upon showing of extreme and unanticipated emergency made in writing to the ADR Administrator at least ten (10) days prior to the scheduled conference date.

/s/ John Winship Read

JOHN WINSHIP READ (0030827)

Attorney for United States Power Fund, L.P.

/s/ Richard N. Selby, II

RICHARD N. SELBY, II, ESQ. (0059996)

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